

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:16-cv-24-MOC-DSC**

GLEND A WESTMORELEAND,)
)
)
Plaintiff,)
)
vs.)
)
TWC ADMINISTRATION LLC,) **ORDER**
d/b/a TIME WARNER CABLE,)
)
Defendant.)
)

THIS MATTER is before the Court on Defendant's Motion for Attorney Fees and Costs, based on fees incurred in defending Plaintiff's race discrimination claim brought under Title VII of the Civil Rights Act of 1964. (Doc. No. 100).

The Court has carefully reviewed the affidavits and billing time sheets attached to Defendant's motion. To determine the appropriate amount of attorney's fees, this Court is tasked with determining the lodestar amount. The lodestar amount is the number of hours reasonably expended on the litigation multiplied by a reasonable rate. Hensley v. Eckerhart, 461 U.S. 424, 433 (1983).

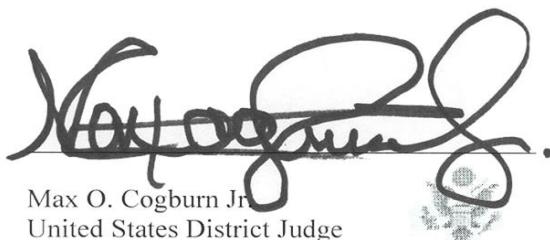
Here, Defendant has provided the billing sheets showing hours worked in this matter by attorneys Pirtle, Wood, and Douglas, and paralegal Burn. The supporting materials and billing sheets in this case, however, do not include totals for hours worked by each of attorneys Pirtle, Wood, and Douglas, and paralegal Burn, nor do they break down the number of hours worked by each of these persons specifically on the race discrimination claim, nor do they, alternatively, provide a percentage of the total number of hours that is attributable to each person in defending

Plaintiff's race discrimination claim. The supporting materials merely assert that various percentages of various total amounts billed to Defendant were attributable to the defense of the race discrimination claim. Before proceeding, the Court needs more information from Defendant. In other words, the Court is unable, with the information before it, to calculate the lodestar amount—that is, the number of hours reasonably expended on the litigation multiplied by a reasonable rate.¹

Defendant shall, therefore, within ten days, submit to the Court further information showing the total number of hours that Defendant contends were spent by each of the attorneys Pirtle, Wood, and Douglas, and paralegal Burn, in defending against Plaintiff's race discrimination claim. Defendant may certainly submit that only a certain percentage of those hours were spent in defending the race discrimination claim, but the Court needs more information from Defendant in order to calculate the lodestar amount and determine whether the requested fees are reasonable.

IT IS SO ORDERED.

Signed: October 25, 2019



The image shows a handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". Below the signature, there is a small, faint, circular embossed seal or stamp, likely a judge's seal, which is mostly illegible but includes some floral or geometric patterns.

Max O. Cogburn Jr.
United States District Judge

¹ If Defendant's position is that the Court is not required to calculate reasonable attorney fees according to the lodestar amount, Defendant shall submit supporting caselaw.